IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,		
Plaintiff,	4:20CB3000	
VS.	ORDER	
MCKAYLA BURNETTE,	ORDER	
Defendant.		

Regarding the citations issued to Defendant on November 16, 2019, (copies of which are attached),

IT IS ORDERED:

- Defendant is ordered to appear at 8:30 a.m. on April 2, 2020 before the undersigned magistrate judge in Courtroom 2, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska to answer to the charge.
- 2) Defendant, defense counsel (if any), and counsel for the government shall attend.

February 25, 2020.

BY THE COURT:

<u>s/ Cheryl R. Zwart</u> United States Magistrate Judge

4:20-cb-03000-CRZ Doc # 1 Filed: 01/27/20 Page 4 of 22 - Page ID # 4

United States District Court CVB Location Code	STATEMENT OF PROBABLE CAUSE
Violation Notice NE 17	(For issuance of an arrest warrant or summons)
Violation Number Officer Name (Print) Officer No.	I state that on Wormber 16, 20 19 while exercising my duties as a
6506148 K Chadwick 6178	law enforcement officer in the <u>Judicial</u> District of <u>Nebraska</u>
YOU ARE CHARGED WITH THE FOLLOWING VIOLATION	see attacked
Date and Time of Offense (mm/dd/yyyy) Offense Charged XCFR © USC © State Code	
110 USC INLAND (F)(Z)	<u> </u>
1116/2019 1430 50 CFR 27.61 Place of Offense	4
Fort Niobrara NWR - Fort Falls	
	AZMAT c
Destruction of property on NWR	
DEFENDANT INFORMATION Phone: () -	
Last Name First Name M.I.	- Address - Addr
BURNETTE MCKAYLA	
Hotel Address 311 Main Main	
Valentineic NE 6970 MG 07/03/	
Drivers License No. CDL D.L. State Social Security No.	
H13689842 NET	
	Veight 7.0
VEHICLE VIN:	CMV o
Tag No. State Year Make/Model PASS D Color	
66-411B NE 00 Chev/Silverad Silverad Silverad Silverad Silverad	The foressine statement is based upon
A PLIF BOX A IS CHECKED, YOU B IF BOX B IS CHECKED, YOU B IN AMOUNT INDICATED BY AMOUN	
INSTRUCTIONS (on back of yellow copy) OR APPEAR IN COURT.	information supplied to me from my fellow officer's observation
MY DISMICE COURT	other (explain above)
2100 centennial Mall N s Forfeiture Al Zincoln NE 68508 + \$30 Processing	Adeclare under construct that the information which I have set forth above and on
February 6, 2020	— —the face of this violation notice is true and correct to the best of my knowledge.
	12/0/200
YOUR COURT DATE (If no court appearance date is shown, you will be notified of your appearance date by m	Date (mm/dd/www) Officer's Signature
□ Court Address Date (mm/dd/yyyy)	<u> </u>
9	Probable cause has been stated for the issuance of a warrant.
Time (hh:mm)	Æxecuted on:
	Date (mm/dd/yyyy) U.S. Magistrate Judge
My signature signifies that I have received a copy of this violation notice. It is not an admission I promise to appear for the hearing at the time and place instructed or pay the total collateral di	
X Defendant Signature	CDL = Commercial drivers license; CMV = Commercial vehicle involved in incident

Original - CVB Copy

(Rev 09/2015)

6506148, 6506149, 6506150

BURNETTE

STATEMENT OF PROBABLE CAUSE

(for issuance of an arrest warrant or summons)

I state that on November 16, 2019, while exercising my duties as a law enforcement officer in the District of Nebraska (NE17)

> 16 USC 668dd(f)(2)/50 CFR 27.61 Destruction of property on NWR, 16 USC 668dd(f)(2)/50 CFR 27.51 Disturb, injure, damage plants on NWR, and 16 USC 668dd(f)(2)/50 CFR 27.94 Littering on NWR

On Saturday, November 16, 2019, U.S. Fish and Wildlife Service (USFWS) Federal Wildlife Officer (FWO), Kimberly Chadwick, was informed that the historic Fort Falls area on the Fort Niobrara National Wildlife Refuge (FNNWR) had been vandalized. The FNNWR is under the management of the U.S. Fish and Wildlife Service and is governed by the National Wildlife Refuge System Administration Act (Title 16 USC 668dd-ee).

Upon further investigation, Mckayla BURNETTE was identified as a suspect in the vandalism. On November 24, 2019 FWO Chadwick learned that BURNETTE was in custody at the Cherry County Justice Center in Valentine, NE on an unrelated charge. At approximately 1200 hrs on November 24, 2019, FWO Chadwick began an interview with BURNETTE; Cherry County Sheriff's Deputy Logan Dailey was present for the interview which was recorded by FWO Chadwick's body camera. FWO Chadwick read Miranda Rights to BURNETTE, who waived her rights and agreed to speak with FWO Chadwick regarding the vandalism incident.

During the course of the interview, BURNETTE admitted to using black spray paint to mark trees, a fence, and a sign along the Fort Falls hiking trail. BURNETTE also admitted to drinking alcohol on the FNNWR (possession of which is prohibited on the FNNWR) and littering the empty bottles on the ground on the FNNWR.

FWO Chadwick issued BURNETTE mandatory appearance violation notices for the following: 16 USC 668dd(f)(2)/50 CFR 27.61; Destruction of property on NWR, 16 USC 668dd(f)(2)/50 CFR 27.51; Disturb, injure, damage plants on NWR, and 16 USC 668dd(f)(2)/50 CFR 27.94, Littering on NWR.

The foregoing statement is based upon: my personal observation	XX my personal investigation
information supplied to me by my for	ellow officer's observation
other (explain above)	
I declare under the penalty of perjury th this violation is true and correct to the b	at the information which I have set forth above and on the face of est of my knowledge.
Executed on: 12/9/7019	Kindel Wate

4:20-cb-03000-CRZ Doc # 1 Filed: 01/27/20 Page 7 of 22 - Page ID # 7 STATEMENT OF PROBABLE CAUSE **United States District Court** (For issuance of an arrest warrant or summons) Violation Notice I state that on November 16, 20/9 while exercising my duties as a Violation Number Officer Name (Print) law enforcement officer in the Judicial District of Me Braska 6506149 σ see attached ഗ YOU ARE CHARGED WITH THE FOLLOWING VIOLATION ത 16 USC 66866(F)(Z) 4 9 Fort Midbrara NWR-Fort Falls HAZMAT O Disturb, injure, damage plants on NWR DEFENDANT INFORMATION BURNETTE MCKAYLA Date of Birth (mm/dd/yyyy) CDL D D L. State H13689842 Weight Adult U Juvenile Sex Male Female 120 **VEHICLE** CMV a OThe foregoing statement is based upon:

my personal observation. Year Make/Model PASS 0 IF BOX A IS CHECKED, YOU B IF BOX B IS CHECKED, YOU MUST my personal investigation MUST APPEAR IN COURT. SEE PAY AMOUNT INDICATED BELOW OR APPEAR IN COURT. information supplied to me from my fellow officer's observation Que Centennial Mall N SEE INSTRUCTIONS (on back of vellow copy) S Ò other (explain above) Forfeiture Amount declare under penalty of perjury that the information which I have set forth above and on ncoln NE 68508 + \$30 Processing Fee February 6,2020 the face of this violation notice is true and correct to the best of my knowledge. \$830 Am PAY THIS AMOUNT -Total Collateral Due YOUR COURT DATE Date (mm/dd/yyyy) (If no court appearance date is shown, you will be notified of your appearance date by mail.) Court Address Date (mm/dd/yyyy) robable cause has been stated for the issuance of a warrant.

*Executed on:

Date (mm/dd/yyyy)

HAZMAT = Hazardous material involved in incident; PASS = 9 or more passenger vehicle, CDL = Commercial drivers license; CMV = Commercial vehicle involved in incident

U.S. Magistrate Judge

My signature signifies that I have received a copy of this violation notice. It is not an admission of quilt, I promise to appear for the hearing at the time and place instructed or pay the total collateral due.

Time (hh:mm)

X. Defendant Signature

3/2019

14:42

6506148, 6506149, 6506150

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information supplied to me by my fe	ellow officer's observation
other (explain above)	
I declare under the penalty of perjury the this violation is true and correct to the b	at the information which I have set forth above and on the face of est of my knowledge.
Executed on: 12/9/2019	Kundel Charle

Doc # 1 Filed: 01/27/20 Page 10 of 22 - Page ID # 10 STATEMENT OF PROBABLE CAUSE

	4:20-cb-03000-C	RZ
United States District	COURTCVB Location Code	
Violation Notice	10,-,-	
	INCII	
	er Name (Print) Officer No.	1
$6506150 _{\mathcal{L}C}$	MCMMICK IVI IV	တ
	THE FOLLOWING VIOLATION	50
Date and Time of Offense (mm/od/yyyy) Offens	an Charmad #CED DUSC Detate Code	<u></u>
11/16/2019 1430 50	AF (1) 41 ALL	—
Place of Offense		50
Fort Niobrara NWA	R-Fort Falls	_
Offense Description: Factual Basis for Charge		υ ΤΑΝ
Littering on NW	R	
DEFENDANT INFORMATION	Phone: (1005) 828 - 8013	>
Last Name	First Name M.I	
BURNETTE	MCKAYLA	
Street Address		
311 North Main		
City State	Zip Code Date of Birth (mm/dd/y	
Drivers License No. CDL a D.	E 69712 07/05/199 L. State Social Security No.	7
	1/L	
H13689842 1	NE Hair Eyes Height Weig	ıht
D Adult □ Juvenile Sex □ Male □ Femal	BEN BEN 5:5" 12	9
VEHICLE VIN:		WV a
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66-41113 NE	100 Chimishage 7116	_
A 27 IF BOX A IS CHECKED, YOU MUST APPEAR IN COURT. SEE		
INSTRUCTIONS (on back of yorkow copy) U.S. District Court	OR APPEAR IN COURT. SEE INSTRUCTIONS (on back of yellow copy).	
200 centennial Mall N		
Lincoln, NE 68508	\$ Forfeiture Amo	
February 6,2020	+ \$30 Processing Fe	
\$830 PAY THIS AMOUNT →	Total Collateral	Due
	COURT DATE	
(If no court appearance date is shown, you Court Address	ou will be notified of your appearance date by mail.) Date (mm/dd/yyyy)	
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	Time (hh.mm)	
	py of this violation notice. It is not an admission of	guið.
	and place instructed or pay the total collateral due.	
X Defendant Signature		
(Rav. 09/2015) Origin	nat - CVB Copy	

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I state that on November 19, 2019 while exercising my dutil law enforcement officer in the Tudicial District of Nebras	es as a
	Ka
see attached	
The foregoing statement is based upon:	
my personal observation my personal investigatio	n
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O other (explain above)	
declare under penalty of perjury that the information which I have set forth above	and on
the face of this violation notice is true and correct to the best of my knowledge.	
De la	
Executed on: 12/9/2019 Simple Signature Date (mm/dd/yyyy) Officer's Signature	
N Date (Illithodayyyy) Soliton's digitature	
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<u> </u>	
Executed on:	
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